

MUST STAND TRIAL

Judges Woods and Grosscup Refuse to Dismiss Debs's Case.

Attorneys for the Prosecution at Chicago Tear to Pieces the Quibbling Answer of the A. R. U.

THE NEW A. L. U. IS STARTED

Complete Set of Officers Elected at Chicago Yesterday.

It Is to Take the Place of the K. of L. and Will Include All Workmen Not in the A. R. U.

CHICAGO, July 24.—Debs and the other officers of the American Railway Union met with a decided reversal today in their fight against the prosecution for contempt in the United States Court. The court decided that the answer filed by the defendants is not a sufficient reply to the charge of contempt, and the motion of their attorneys that they be discharged was overruled. To-morrow morning the court will hear the evidence of the government to sustain the charge, and the defendants will be given the opportunity to produce evidence in their defense. The argument in the case was finished shortly before 5 o'clock this afternoon, and the decision of the court was announced by Judge Woods after he had conferred for a few minutes with his colleague, Judge Grosscup.

The main point alleged is that a contempt case like this is a criminal proceeding, and the motion is to discharge the respondents on the ground that their answer denying the contempt is conclusive. It is true that a proceeding like this is criminal, technically, but not essentially. It is an incident in the main case in equity under the contempt power of the court. No case has been cited here in which the federal courts have sustained the proposition put forward by the attorneys for the respondents. If anything should happen to change our minds during the further course of the case the defendants will have the benefit of the change. As it is now, we are content to rule that the answer is not a sufficient reply to the charge. It is to be further examined. It is well that all questions be kept as free as possible from opinions from the court, and we will, therefore, not give an extended opinion."

Judge Woods then asked the attorneys in the case to state how long it would require to hear the evidence on the charge of contempt. As he did not wish to remain in the city he suggested that the matter be referred to the master in chancery to take testimony. The suggestion met with the favor of the counsel for the defense, but the lawyers for the government opposed it. Mr. Milchrist said the evidence for the government could be all presented in a day at the most, while Mr. Gregory suggested that the case be given to a master, with orders to report in thirty days. The court finally decided to go on with the case to-morrow morning, with the understanding that if it did not make rapid progress it might be sent to a master at any time. During the discussion Edwin Walker, special counsel for the government, made the suggestion that it was within the power of the defendants to end the trouble by declaring the strike off. "They are still in contempt," he said, "and the government is in possession of information that the injunction is still being violated."

Judge Woods said that if there are further violations of the injunction, a supplemental information can be filed, and the parties will find themselves in a much worse position than they otherwise would be in. Attorney Gregory denied that it was within the power of his clients to declare the strike off, or that any trouble which may exist on the railroad is within their control. With that the subject was dropped.

During the proceedings at the trial of President Debs and his associates for contempt, to-day, District Attorney Milchrist called the attention of the court to the act of 1890 known as the anti-trust law. He read some of its provisions, and said that two or more persons conspire to obstruct interstate commerce they should be deemed guilty of an offense against the law, and shall be proceeded against in the United States Circuit Court in equity. The district attorney said that by this law the bill under the act of 1890, there is no doubt, Mr. Milchrist said, that the government has such a pecuniary interest in interstate commerce that it has a right to file such a bill. The revenue derived from the postal service.

The greater part of the day's session was taken up by the argument of Attorney Erwin for the defense. Mr. Erwin was frequently interrupted by Judge Woods, who was particularly inquisitive in regard to the advisory character of the American Railway Union officers' duties. "If the officers could not order a strike, could they advise the organization's members to strike?" he asked. "If they do not advise the men to desert after the strike was in force?"

Attorney Bancroft replied that the government's complaint contained nothing regarding advice, but simply charged the defendants with ordering a strike. "The government meant 'advice' instead of 'order,'" said the attorney. "It should have said so. Our answer fully covers the case as stated by the prosecution."

Attorney Bancroft, counsel for the Santa Fe railroad, followed Mr. Erwin. He attacked the answer of the defendants, claiming that it was insufficient. His argument was exhaustive in the details of the law, and definitions of the various kinds of contempt, both in law and in equity. At the beginning of the afternoon session Mr. Bancroft continued his argument. He denied the statement of lawyers for the defense that it is a rule of law that the defendants were acting in good faith. He would in their answer tell who had used the name of Debs without authority. It was also their duty to see that the use of his name in that way was stopped. Attorney Goetting, for the defense, concluded the argument against the punishment of men without trial by jury. It was the constitutional right of the defendants, he said, to advise men to quit work. At the conclusion of Mr. Goetting's remarks Judge

Woods gave the decision refusing to discharge the defendants.

NEW LABOR ORGANIZATION.

K. of L. and All Other Unions Invited to Join the A. L. U.

CHICAGO, July 24.—The new American Labor Union, the big companion organization to the A. R. U., and which is to include all laboring men outside the railroad men, was formed here to-day. It will also admit militiamen as members. The directors say it will take the place of the Knights of Labor. The declaration of principles says the directors have taken into consideration many obstacles that will be encountered: First will be the assailing of the characters of the prime movers by the so-called labor leaders, caused by the fact of the dispiriting older organizations and the leaders' pull with politicians, corporations and shysters of every description.

Second, will be the task of convincing the masses that the so-called labor leaders are too numerous, and are thriving on the hard-earned wages of the toiling masses, and that the time has arrived when only one organization of labor is sufficient, with one general head shorn of all power to preclude the order into any conflict or strike.

The A. L. U. protects its members to its full strength, sacrificing every member to meet combined capital with combined labor, under one grand brotherhood of men. Its motto is: "The cause of one is the cause of all." The late struggle has convinced the leaders that united action must be used, and this action is to be left to the power of the rank and file. Temporary headquarters will be at McCoy's Hotel. There will be chosen two directors from New York, one from Philadelphia, one from Buffalo, one from Kansas City, two from St. Louis, two from the Pacific coast and one each from St. Paul and Minneapolis.

The officers are: W. C. Walsh, president; W. C. Overton, vice president; J. L. Coagley, secretary and treasurer. The Chicago directors are: C. A. Kieler, W. E. F. O'Brien, J. E. Grimes, F. M. Donnelly, H. E. Huntington, John Costello, Owen McShane, William Russell, Peter Kennedy, S. Frotherstone and C. L. Dahl. The officers of the new organization system organizers will be put in the field immediately and the union extended throughout the country.

Resolutions have been adopted extending financial support to E. V. Debs and pledging to the cause of the American Railway Union. It is the intention to include in this organization all labor of whatever kind, and to make it a national organization. It will be affiliated with the A. R. U., and doubtless be controlled by the same officials.

K. of L. to Help Populists. OMAHA, Neb., July 24.—The session of the executive board of the Knights of Labor to-day was devoted to the situation in Nebraska. State Master Workman D. S. Allen was called in consultation, and, after hearing his statement, it was resolved to send the influence of the order to the campaign to the Populists. It was decided to send organizers over the State in connection with the Populist State committee to thoroughly organize the farmers and the farmers for the struggle at the polls in November.

General Master Workman Sovereign was asked regarding his intention in the matter of militia companies, and said that he would advise to workmen has been to keep out of militia. It should be changed. Every workingman should join the militia, thus getting the arms and discipline necessary to defend the country and the people from the Anarchists, railroad men, their trusts, attorneys and the murderous deputies and Pinkertons whom they employ. I have been a member of the militia for three years, and know that the Knights of Labor are the best militia in the country. I am an ardent supporter of the militia system of government and operating the same in the interests of the people."

Against Simms's Bondsman. CHICAGO, July 24.—The troubles of the Switchmen's Mutual Aid Association found their way into court to-day, when a writ of \$20,000 was filed by the organization against the bondsman of ex-Secretary-Treasurer William A. Simms. Simms's recent disappearance has caused the association to be incorporated, criminal proceedings were impossible.

Admit Miners Go to Work. BLOOMINGTON, Ill., July 24.—All the striking miners of the McLean coal shaft, operated by a company of which Vice President Stevenson is the president, who have been on a strike for ninety days, will return to work. They get the old wages and go back as union men. Vice President Stevenson was present at the meeting to-day at which the agreement was reached.

ACTON CAMP MEETING. The Cottages and Grounds Ready for Reception of Summer Visitors.

The annual Methodist camp meeting at Acton Park will open Friday afternoon at 2:30 o'clock. Though "moving day" is not until to-morrow, yet the scene at the park is fast assuming that activity and bustle characteristic of the time. The meeting is on. There were up to last evening sixty-five cottages on the grounds. A number of them had been there since June 1. The greater number, however, took possession during the last week. The best of arrangements have been made by the railroad in regard to transportation and moving baggage to the park. Half rates will be in force during the meeting, and all trains, with the exception of the last mail, east and west, will stop there. There will be a number of special trains running in addition to the regular trains. There are 193 cottages at the park. Most of them are built on the same site, being generally plain frame, four-room buildings. The majority are built of planed boards, painted. Many are made cozy and comfortable by verandas. Most of the cottagers intend to do their cooking and eat at the park. There will be no use of kerosene stoves to the park. Groceries can be bought at the hotel, where a large stock is kept by the manager, O. W. Pierson. Acton is but a short distance from the park, and many cottagers intend to bring their stock of groceries there. In addition to these accommodations, special inducements have been offered to farmers to bring gardenstuffs and poultry and other produce to the park. They will take advantage of this opportunity in large numbers. To those who do not wish to take their own food, a kitchen and cottage, or who can spend but a short time at the park, the hotel is a readily accessible place. The hotel is a large, comfortable building, containing forty rooms, of which twenty are single rooms. The well is not deep, but of late the presence of minerals has been marked. Some of those who ought to know say that the water is better than the water that would be obtained there. There is some talk of having the well driven deeper and in case that water with paying mineral qualities is obtained, a bathhouse and other buildings have not yet been put in order. All it needs to be so is to put new stairs and a new roof on the hotel. The pavilion, but instead of a bathhouse, is down to a depth of half a foot. Benches are placed for seats, and everything else is in accordance with this plan. The pavilion is said to be the coolest meeting place in the central part of the State. It will comfortably seat 1,200 persons. The meeting, single admissions of 10 cents will be charged. No one will be allowed to leave the grounds and return to the city except on the payment of an additional 10 cents. A season ticket can be bought for \$2.00. Many of the cottages are now vacant and can be rented for from \$4 to \$15 for the season. In addition to this there is an expense of \$4 yearly to each cottager.

This is not the only source of pride to the cottagers. As far back as the oldest can remember Acton park had a well near the entrance that was known to contain mineral substances. The well is not deep, but of late the presence of minerals has been marked. Some of those who ought to know say that the water is better than the water that would be obtained there. There is some talk of having the well driven deeper and in case that water with paying mineral qualities is obtained, a bathhouse and other buildings have not yet been put in order. All it needs to be so is to put new stairs and a new roof on the hotel. The pavilion, but instead of a bathhouse, is down to a depth of half a foot. Benches are placed for seats, and everything else is in accordance with this plan. The pavilion is said to be the coolest meeting place in the central part of the State. It will comfortably seat 1,200 persons. The meeting, single admissions of 10 cents will be charged. No one will be allowed to leave the grounds and return to the city except on the payment of an additional 10 cents. A season ticket can be bought for \$2.00. Many of the cottages are now vacant and can be rented for from \$4 to \$15 for the season. In addition to this there is an expense of \$4 yearly to each cottager.

Buy a Stuyvesant Piano at Bryan's. They are thoroughly reliable.

THROUGH THE HEART

CHARLES ROBB SHOTS ELI WILSON FOR FAILURE TO PAY \$3.50.

Tragedy on Newman Street Last Night Caused by the Victim's Inability to Meet His Rent.

Eli Wilson, colored, aged forty-five years, residing at No. 113½ Newman street, was shot and instantly killed in his house last night, about 8 o'clock, by Charles Robb, also colored. Wilson's two daughters, aged fifteen and ten years, respectively, were standing within a short distance of their father when he was shot and fell dead at their feet, and they had a narrow escape from the bullet. Wilson was standing in the doorway of his kitchen taking a drink of water, and Robb was in the doorway of his kitchen when the murder occurred. The indications are that there was little or no provocation, and that Wilson was shot in cold blood. There were no witnesses to the murder excepting Wilson's two children.

Wilson resided in the south half of the double house, Nos. 113½ and 115 Newman street, and was a tenant of Robb, who resided in the north half of the house. The murdered man was a hard worker, and since that time he has been living with his daughters, his other daughter keeping house for him. About three months ago Wilson moved into No. 113½, agreeing to pay \$7 a month rent. When he moved into the house he had pretty steady work at odd jobs, mostly carpet stretching. He worked a great deal of the time for Eastman, Schleicher & Lee. On renting the house Wilson told Robb that the rent was something high, and Robb told him that he was not to pay more than \$7 a month. Wilson told him that he would do his best to pay it. He paid the rent for the first two months on time, but after the second payment his work became slack. He attempted to get odd jobs among the neighbors and business men who knew him, but met with little success, and found it difficult to earn money enough to buy food for his children.

On Saturday, July 14, came the day the rent for the third month was due. Wilson found himself with just \$3.50. Robb is reported as being a very close, hard man, and when he first saw Wilson on the evening of that day, he demanded the rent in a rough sort of a manner. Wilson saw from Robb's actions that he was expecting the full amount, and so began to speak to him in a hesitating manner. "Come, come, come," said the other, "the rent is due. If you do not pay it, I'll get you out of my house." Wilson looked at him a moment, and then said, as he slowly handed him the above amount: "Mr. Robb, you see I have not all of the money for you. I have not had as much work as I could do, and consequently, cannot pay you the \$7." Robb became angry and spoke hotly. He said, as Wilson's eldest daughter stated to Superintendent Powell last night after the shooting: "I see what you are going to do. You are going to beat me out of my rent. If you do, I'll get you out of my house." Wilson tried to reason with him, but it was no use. Robb insisted that Wilson was attempting to defraud him of his rent. Mrs. Robb was working in her kitchen, when she heard angry words between her husband and Wilson. The two men were standing in their front yards. A fence divides the yards, and each was standing facing the other with the fence between them. When Mrs. Robb saw her husband's face, she called out to him: "Wilson, if you do beat me out of my rent I will get even with you—and you know what that means." Robb appeared to be in a fighting mood, while Wilson was standing dejectedly with his hands in his pockets. Mrs. Robb told her husband not to make any demonstration or commit violence. Robb hesitated a moment, and then walked to the fence opposite Wilson, and said: "Well, if you have not the money, you haven't got it all there is about it." Wilson replied that he had tried hard to get the money ready for him, but was unable to do so. Robb then consented that Wilson pay him the balance, \$3.50, next Saturday, July 21.

THE SECOND TROUBLE. Wilson's hard luck stayed with him the following week, and when last Saturday came he did not have the money ready. He went to the front door of his house, and Robb told him that he did not have the money. He had a little money, but it was the only thing between his children and want, and so he told them to dress and he would go with them to the east market to buy something to eat. The three were soon ready, and as they stepped out on the front porch they saw Robb standing on his porch. He walked to the fence as soon as he saw them, and demanded the balance of the rent. Wilson told him that he did not have it, and Robb flew into a greater rage than when refused before. He asked Wilson why he did not have the money. Wilson said he did not have the work to earn the money.

"Where are you going?" demanded Robb, as he suspiciously eyed the large basket which Wilson was carrying. "We are going to market," replied Wilson. "Then why can't you pay me the money?" asked Robb. Wilson said: "If I do this I won't have any money to buy food for my children."

"Dart your children," replied Robb. "I want my money," he said. Wilson looked at him, and said, slowly: "I would do that for no man."

"Well," said Robb, "I will give you until Tuesday night, and then if you don't pay me, why, out you go, but that won't be the end of it. I will have the rest of my money."

The matter was dropped and Wilson and his daughters went to market. Robb went into a rage and was no more until yesterday evening, a short time before the shooting occurred. Wilson tried hard to get the money, but was unable to do so. He was without money and discouraged. He told his daughters, as they met him at the door, that he had no money and expected that they would be ejected before the night was over. His oldest daughter told him that he had his wazon and could sell it and pay the rent. Wilson brightened as the suggestion caught him. He left the house through the front yard, presumably to go to Robb's house and tell him the situation, and when he returned he stepped out onto the porch, he saw Robb in his yard. Robb was looking in another direction, and when he saw Wilson, he turned quickly and, seeing that it was Wilson, asked: "Well, have you the money?" Wilson, in a few words, told him the situation, and Robb repeated his insinuations that Wilson intended to beat him out of the rent. Wilson replied that he would sell his wazon as soon as he could, and then pay him what was due him and move out. Robb laughed sneeringly, and said that it was a likely excuse. Wilson said no more, but went into his house. There were two rooms on the lower floor, and when Wilson went into the room he passed his children, who had been standing in the front door watching the trouble between the men. The straw in the kitchen was a bucket of water. The table stood at the edge of the rear kitchen door, and as Wilson stood there he was in plain view of Robb, who was standing in the doorway. Wilson's daughters followed him and stood in the doorway as he walked to the table. Robb, who was in the house, walked hurriedly into his own house and as Wilson stepped up to the table with a coin in his hand to pay the rent, he got it with the intention of making trouble for as soon as he saw Wilson, he said:

"You see this, don't you, (meaning the revolver); well, I will learn you that you can't get away with me."

SHORT THROUGH THE HEART.

With that he raised the revolver and fired point blank at Wilson. The latter did not move as he saw Robb raise the revolver, for he did not suspect any danger. The bullet sped between the children and one door panel and struck Wilson apparently in the heart, for he fell dead at his children's feet without speaking or making a sound. Robb, as soon as he saw that his shot had been effective, ran through his rear yard opened the rear gate and disappeared in the alley. When Wilson fell dead, Lulu, his younger child, became frightened and putting her hands up to her ears, ran out of the house by the front door. Lulu, the older child, realizing that her father was shot, but not thinking he was dead, ran screaming from the house for help. A number of people were attracted by the shooting, and they hurried to the house. When the physicians entered the house they found Wilson lying on the floor, his head under a table, and his hands and feet bleeding where he had fallen. The physicians felt of Wilson's heart and pulse and found that he had been shot in the heart.

Patrolman Rafferty, in the meanwhile, had informed the police station of the facts of the case, and in a few minutes the police were scouring the north-eastern part of the city for the murderer. Coroner Beck and Superintendent Bledsoe and Captain Campbell hurried to the house and found it filled with curious citizens who surrounded the scene. The house was cleared and Coroner Beck made a hasty examination of the body. He found that the bullet had entered Wilson about one and one-half inches above the left nipple and had passed through the heart. The body was removed to Flanner & Buchanan's morgue, on North Illinois street, where it was held for the coroner's examination. The coroner's examination can be made this morning.

The murdered man's children were taken to the home of Mrs. Simon Ballantyne and Dr. J. J. Ballantyne, and refused when asked questions. Laura said she was fifteen years old. She is large for her age, and is a very intelligent girl. She told how her father was murdered. Her story was practically as follows: She said that she had been in the house when her father was shot. She did work hard, but for the last two weeks she could not get enough work to pay all her expenses. She had been out looking for work, and when he would return home at night he was always drunk. He was a mean man and had several quarrels with father on account of his being unable to pay the rent. Wilson was angry, and last Saturday, when father did not give him the money, he was very angry. He said that I thought he was going to hit father. Father did not get mad, but hung back as if he was afraid. He did not look at father as if he would hit him. He was standing at a table getting a drink. I had forgotten all about Robb, when I saw the corner of his kitchen and the point the revolver at father and shot. He said something about giving father the corner of it. It was all so dark and I could not realize that father was dead. I was standing at a table getting a drink. I had forgotten all about Robb, when I saw the corner of his kitchen and the point the revolver at father and shot. He said something about giving father the corner of it. It was all so dark and I could not realize that father was dead. I was standing at a table getting a drink. I had forgotten all about Robb, when I saw the corner of his kitchen and the point the revolver at father and shot. He said something about giving father the corner of it. It was all so dark and I could not realize that father was dead. I was standing at a table getting a drink. I had forgotten all about Robb, when I saw the corner of his kitchen and the point the revolver at father and shot. 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